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OFFICE OF PETITIONS

LEXMARK INTERNATIONAL, INC.
INTELLECTUAL PROPERTY LAW DEPARTMENT
740 WEST NEW CIRCLE ROAD
BLDG. 082-1
LEXINGTON KY 40550-0999

In re Application of :
Spivey, et al. : **DECISION ON PETITION**
Application No.: 09/625,345 :
Filed: July 25, 2000 :
Attorney Docket No. LE9-00-022 :

This is a decision on the petition under 37 CFR 1.137(b), filed January 21, 2003, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to file a proper reply to the final Office action mailed November 1, 2001. A shortened statutory period of three-months was set forth for a reply. Petitioner filed a response on December 31, 2001. By Advisory Action mailed January 31, 2002, petitioner was advised that the response of December 31, 2001, was not entered because it did not *prima facie* place the application in condition for allowance. No other responses were received within the allowable period, and the above-cited application became abandoned on February 2, 2002. A Notice of Abandonment was mailed on December 31, 2002.

The Request for Continued Examination, filed January 21, 2003, is noted.

The application file is being forwarded to Technology Center 2800 for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-0010.

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions